REMARKS

The office rejected claims 12-15 and 18-20 under 35 U.S.C. § 103 (a) over Brodt (U.S. 6,146,704). In addition, the office rejected claims 19 and 20 under 35 U.S.C. § 112, second paragraph.

Brodt describes a method for protecting metallic surfaces against corrosion. Brodt generically describes utilizing, in part, an aqueous polymer containing from 50-98% of a C_2-C_6 olefin and 2-50% of monoethylenically unsaturated carboxylic acid and optionally other monomers. Despite this very broad range of monomers, Brodt only emplifies a polymer (Polymer no. 1 in Table 1) containing 79% ethylene and 21% acrylic acid which would be outside the range recited in the claims. In addition, polymers No. 2 and 3 are outside the range recited in the claims.

The rejection of claims 12-15 and 18-20 under 35 U.S.C. § 103 (a) over Brodt is respectfully traversed.

Applicants note that any case of obviousness has been rebutted by a showing of unexpected results given in the specification. Specifically, Applicants direct the office to Table 4 on page 19 of the specification which compares an aqueous polymer dispersion within the claimed range (D2) to an aqueous polymer dispersion just outside the claimed range (D4-C). Aqueous polymer dispersion D2 contains 73.4% ethylene and 26.6% methacrylic acid whereas aqueous polymer dispersion D4-C contains 84.7% ethylene and 15.3% methacrylic acid. The results in table 4 show dewatering rates of sludge and show that dispersion D2 Dewaters sludge twice as fast as comparative dispersion D4-C. In addition, the clarity of the supernatant liquid is significantly better (absorbance of 0.450) with aqueous dispersion D2 than comparative aqueous dispersion D4-C (absorbance of 0.660). These results clearly demonstrate unexpected results with the claimed aqueous dispersion with respect to dewatering sudge compared to an aqueous dispersion outside the claimed range.

Therefore, the results give in the specification rebut any case of obvious because the claimed aqueous dispersion has unexpected dewatering properties. Accordingly, the claimed aqueous dispersion would not have been rendered unpatentable under 35 U.S.C. § 103(a) over Brodt and Applicants respectfully request that the office withdraw the rejection of claims 12-15 and 18-20.

Applicants note that claims 19 and 20 have been amended such that they are free of the critcisms on page 2 of the office action. Accordingly, Applicants respectfully request that the office withdraw the rejections of claims 19 and 20 under 35 U.S.C. § 112, second paragraph.

Finally, Applicants request that should claims 12-15 and 18-20 be found allowable that the office rejoin method claims 1-11, 16 and 17 since these method claims depend from the product claims (MPEP § 821.04).

In light of the remarks above, applicants submit that the application is in condition for allowance. Favorable reconsideration is respectfully requested.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00167-US1 from which the undersigned is authorized to draw.

Dated: July 9, 2008

Respectfully submitted,

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